IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE V.ESWARAIAH

WRIT PETITION No. 7610 of 2002

Between:

Yalagada Srinu, S/o.late Veeraju,

R/o. Gajapathinagaram, post and mandal,

Vizianagaram District.

..... PETITIONER

AND

1. The Government of A.P. rep.by its

Prl.Secretary, Finance and Planning(Fin.Wing)

Department, Secretariat, Hyderabad.

2. The Government of A.P. rep.by its

Managing Director, A.P. State Warehousing

Corporation, Ware housing Sadan,

2nd Floor, Behind Gandhi Bhavan,

Nampally, Hyderabad.

3. The Regional Manager, A.P.State

Ware Housing Corporation, Plot No.16,

Treasury Colony, Kakinada,

East Godavari District.

4. The Manager,

A.P.State Warehousing Corporation,

Lankapatnam, Vizianagaram

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or orders more in the nature of Writ of mandamus directing the Respondents to appoint the petitioner as an attender or any suitable post on compassionate grounds in the office of the respondents and consequently declare the action of the respondents in not appointing the petitioner as an attender in their office on compassionate grounds as illegal, arbitrary and contrary to the Gos issued by the government from time to time.

Counsel for the Petitioner: MR.LINGESWARA RAO PANDRANKI

Counsel for the Respondent s: None present

The Court made the following :

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No. 7610 of 2002

ORDER:

Though the writ petition was filed on 23.04.2002 and notice was ordered, no counter has been filed.

Pursuant to the observations made in the interim order dated 23-4-2002, the 4th respondent issued a memo dated 29.06.2002, informing the petitioner that he is not the competent authority to consider the case of the petitioner for his appointment in a suitable post on compassionate grounds.

The case of the petitioner is that his father (Yelagadda Veeraju) was appointed as a watchman in 1963 and while he was serving, he died on 09.01.2001. Late Veeraju left behind him, his wife, two daughters and two sons. The eldest daughter was already married and the petitioner is the eldest son and there are no earning members in the family, and after the legal heir certificate was issued, himself and his mother made representations before the Managing Director, A.P. State Warehousing Corporation, Hyderabad, on 28.06.2001 to

consider his case for compassionate appointment in any suitable post. If there is any policy or scheme existing in the respondent Corporation, the respondents are bound to consider the representation of the petitioner and dispose of the same.

It is stated by the petitioner that as his representation has not been disposed of in spite of repeated representations, he is constrained to approach this Court. It is also stated that instead of considering the case of the petitioner for his appointment as an Attender on compassionate grounds, they have offered only ex gratia for which the petitioner and his mother have not accepted, as the petitioner is entitled to be appointed on compassionate grounds.

Without going into the merits of the case, and if there is any policy or scheme, the respondent Corporation is bound to consider the case of the petitioner for appointment on compassionate grounds. Therefore, I am of the view that it is just and proper to direct the 2nd respondent to consider and dispose of the representation of the petitioner dated 28.06.2001, if not already disposed of.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider the representation of the petitioner dated 28.06.2001, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

V. ESWARAIAH, J.

30th July, 2004

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To

1. The Principal Secretary,Government of A.P.,

Finance and Planning(Fin.Wing)

Department, Secretariat, Hyderabad.

2. The Managing Director, Government of A.P.,

A.P. State Warehousing Corporation, Ware housing Sadan,

2nd Floor, Behind Gandhi Bhavan,

Nampally, Hyderabad.

3. The Regional Manager, A.P.State

Ware Housing Corporation, Plot No.16,

Treasury Colony, Kakinada,

East Godavari District.

4. The Manager,

A.P.State Warehousing Corporation,

Lankapatnam, Vizianagaram .

5. Two CD copies.